

# Okolona Messenger.

FOR THE DEVELOPMENT OF THE NATURAL RESOURCES OF THE SUNNY SOUTH.

VOL. 35, NO. 34.

WEDNESDAY, AUGUST 28, 1907.

## The New Governor

**S**INCE the candidate supported by this paper for Governor concedes the election of his late opponent, like all loyal citizens must do when the majesty of the majority bids them sit down, we gracefully bow to the inevitable, and find much consolation for our disappointment in the overflowing joy of those with whom we differed during the heated contest. But while we are cheerful in doffing our hat to the victor, we cannot, would not if we could, be convinced that the majority is always right. Yet, we apprehend that the grand old state of Mississippi will march forward in its majestic tread, and in a few weeks most everyone will be too busy to even remember who is their Governor, or what are his duties. So, after all, politics is but a fleeting paroxysm, so far as the general public is concerned, and Mississippi is indeed fortunate that elections come as seldom as they do.

So far as this newspaper is concerned, it too will march forward, keeping ever abreast of the changes that must be met in life, sympathizing with those who are in sorrow's wake, rejoicing with those who have cause for joy, standing at all times for that which it believes to be the best interests of country and the people, especially vying with every one and every interest which promises the betterment of the people and the aggrandizement of Mississippi and the Sunny Southland. It perhaps makes less personal difference to all connected with this publication who is chosen to office than to most citizens, since, once new officers are chosen every one of this household has enough duties of his own to look after to bar even the slightest fear but that all official duties will be properly discharged. We have lived under a good many different kinds of administrations, state and nation, and we feel equal to the task of enduring the smiles and antics of the gentleman whom the people have just decided to honor with free rent at the Executive Mansion during the next four years.

In this connection it is impossible, if not politic, to withhold the reflection, that, barring all phases of personal interest or favoritism, it does not stand to the highest possible credit of the judgment as expressed in the small majority recorded, that young men like Earl Brewer standing on a platform pledging equal opportunities to all, should be rejected simply because a solid front could be marshaled against him by the public service corporations of the state. But this is the decree, and must be accepted placidly, if not cheerfully.

There is another lesson in the result, which will probably be forgotten before a time shall arrive for it to be put to a practical test: The returns show conclusively that the larger cities of the state organized and voted against Mr. Brewer, not because they wanted his opponent, but because Mr. Brewer's declarations on questions of taxation, and his demands for a more rigid enforcement of the laws calculated to protect the toiling masses, naturally appealed to the producers of the wealth in the state. The lesson is that Mr. Brewer was not defeated by those who opposed him, but rather through the negligence or overconfidence of those who were favorable to him.

Take for instance the falling off of the vote in the last as compared with the first primary: Over 6,000 farmers who voted in the first primary, from some neglect or idle belief that it was not necessary, failed to go to the polls in the second. It is safe to say that four-fifths of these stay-at-homes, were really and honestly Brewer men. In towns where perfect organizations were effected for the defeat of Mr. Brewer, instead of the vote falling off, it was rather larger than in the first primary.

So, if it should turn out that laws are not inspired that the toiling masses would have spread upon the statute books, or if corporations are able to play hide-and-seek under the mother Hubbard worn by the Governor slipped into office through the neglect of the friends of the real champion of the people, blame can only be laid at the door of those who failed in the discharge of their franchised duty. Really and truly, isn't our hind-sight sometimes better than our fore-sight?

We have not had removed the honest conviction that the people of Mississippi have never really seriously considered Mr. Noel as a candidate for Governor, yet he had, in eight years, by the adroit use of that smile that never rubs off, and by his persistent assumption that he had earned such distinction at the hands of the public, drawn to him a support as loyal and as earnest, as if he had been the biggest man in the state, really. It has been said of him that he has shaken hands in his peculiar way with every man in the state during the past eight years, that he has patted every child on the head, smiled on every married woman and tickled more giddy girls under the chin than all the men combined who have pushed themselves into public notice. It may not be so sure but that after all he is as adroit a politician as we have in our midst to-

day. Let us hope his close touch with the people will inspire him to deeds worthy of the place which has come to him under such peculiar circumstances. Let us hope that he will disappoint those craving special favors at his hands, who supported him, because it was the only thing left for them to do. As Governor during the next four years Mr. Noel will either be called upon to resist great unfair demands made upon him by those seeking special favors, or lay down to their demands. And they will be smooth about it, too smooth at times, it may be feared, if the Governor is not very alert.

It is not chagrin which prompts these reflections, but merely an inability to suppress honest convictions on questions in which all are interested who would see Mississippi continue on its forward march.

But we can only wait and see. The new Governor may even surprise himself. Men of less ability have done so in the past. They will continue to follow the same pathway, here and there, throughout the future.

The best thing for all of us who have a bruised shin, is to forget it, and once more join hands for a Greater Mississippi, no matter how our efforts may be blocked, a Greater Southland, which shall become the pride of its own people to a still greater degree and an honor to the nation.

### FINANCIAL INDEPENDENCE OF THE SOUTH.

**T**HE South is really the most independent section of this most self-reliant of nations. The stock market may collapse in Wall street and cause even the Bank of England to raise its discount rate but the South no longer worries in the least over the situation.

The South was never farther from Wall street than it is today, and the best business and financial men of this section of the country have repeatedly declared that the time has long passed when the South has to tremble at every rumble in Wall street.

The farmers of the Mississippi, Louisiana and Alabama are not being retained in possession of their farms through the sufferance of banks in these respective localities, which are in turn compelled to protect themselves by repressive measures whenever there is a flurry in Wall street. The South is standing on its own financial bottom, and is sending money eastward instead of being a constant borrower, as it was only a few years ago.

The South has quit gambling and is not concerned with the financial faro being played by the stock speculators. There was never a time when the line of demarcation between stock gambling and legitimate business interests was so clear as it is today and, there was never a time when the South could view with more complacency the upheavals in the speculative market, knowing that none of its own money is on the table.

The Wall street disturbances have their own lesson and the entire country is glad to see Wall street and its followers getting all that is coming to them, but the South is not vitally concerned in the gambling operations of the East and doesn't lose any sleep over their conditions.

### A LITTLE LAY SERMON.

**S**UNDAY is a good day to look at the future and to speculate on what sort of a world this will be when men obey the spirit of the Decalogue. There is no need to take up any of the new fangled creeds. So far as this world is concerned, the Decalogue is good enough and the New Testament is non-essential, for the only real difference between the new dispensation and the old dispensation is that one is old and one is new. They are both identical in spirit and they simply give the dogmatists something to argue about. For that matter, there is no essential difference between any of the codes of morals of the great teachers of the world, and the world would be saved here if it adopted the fundamentals of any of them for its guidance.

But this is a christian country and there is no use to quarrel or argue about other religious systems. The teachings of Christ are all embodied in the spirit of the Decalogue and the "new commandment" is in reality only a composite of the ten. Take any of them at random—"Thou shalt not kill," for instance—and see what a beautiful world this would be if it was obeyed—not in a Pharisaical literalness, but in the great gentleness which is its essence. Suppose no man ever killed another. That would be an immense forward step, which would transform the world itself. Suppose every man loved his neighbor as himself and human life was held so sacred that every man would stay his hand against every other man, not in the dread of the brand of Cain, but because every man was his brother in the tenderest sense. It may be sophistically argued that men kill themselves, but that is human nature inverted; it is abnormal and unspeakably unnatural, against all the canons of instinct and is always

the result of some tremendous upheaval of the moral nature.

Then suppose from human life the conception of sacredness was transferred to all life, animals first of all. There is no need to advocate vegetarianism or the preservation of the life of pests or dangerous beasts. That is mere sophistry. Let us confine ourselves to that which is reasonable and possible. Suppose that no man killed anything for the mere love of killing. There would then be no need of game laws to prevent so-called "sportsmen" from shooting to death a mother bird as she sits over her little brood. Suppose the day comes when it will be considered cruel and unmanly to do these things, when the man whose hands are red with blood of helpless animals, slaughtered for the mere pleasure of slaying, will be beyond the pale of decent society. Suppose the day comes when no woman will be in the fashion who is decked out with the barbaric spoils of cruelty and slaughter. No danger of the world being overrun with song birds and quail and game. The rivers and lakes will not burst their bounds with fish. Those questions will solve themselves. Let men take all the life necessary to their subsistence. But suppose that all men obeyed the spirit of the great commandment, "Thou shalt not kill." The world would be melodious with songsters and in the hearts of men would be the sweetest harmony this old world ever knew. That is what one commandment would do.

And now, having speculated on what might be and what ought to be, let's go out and kill something. For we are still savage at heart and the lust of slaying, bred into us for untold thousands of years, is not to be atrophied in a day or regenerated by a little lay sermon.

### CRITICISING JUDGES.

**T**HERE are many who hold that the acts of judges are too sacred for criticism. A well known magazine recently said that it regarded it as a dangerous practice to criticize court decisions. And yet we read and hear such criticism almost daily, and so long as it does not descend to mere personal abuse and senseless vituperation the practice is right and proper.

Courts are only men after all, and men are but human, with their views colored to a more or less extent by environment and training. The courts should be respected and their decrees should be obeyed, but it is an erroneous idea to suppose that the courts can commit no wrong and that the acts of judges are above criticism. On the contrary, it is better that there should be publicity and free and fair discussion of all that the courts say and do, especially during a period like the present when we are hearing so much of so-called "government by judges."

In discussing this subject the Mobile Herald correctly declares that the "purity and efficiency of the administration of justice require publicity and criticism." Eminent lawyers and judges recognize this. The Herald then proceeds to quote two excellent authorities on this question and their utterances are well worthy of reproduction. Sir Frederick Pollock, one of the most eminent English lawyers, in an address delivered in this country said:

"Our guiding principle is that justice ought to be done in the light of day; and if I may somewhat alter the words of my learned friend, Mr. Justice Holmes, of the supreme court of Washington, originally applied to a different context, 'We are, on the whole, of the deliberate opinion that publicity is worth more to society than it costs.'"

Judge William H. Taft, in 1895, replying to criticisms against the federal judiciary on account of its part in the suppression of the disturbances following the strike and boycotts inaugurated by Eugene V. Debs, said:

"The opportunity freely and publicly to criticize judicial action is of vastly more importance to the body politic than the immunity of courts and judges from unjust aspersion and attack. Nothing tends more to render judges careful in opinion and anxiously solicitous to do exact justice than the consciousness that every act of theirs is to be subjected to the intelligent fellow-men. Such criticism is beneficial in proportion as it is fair, dispassionate, discriminating and based on a knowledge of sound legal principles."

After referring to criticism by lawyers, Judge Taft said:

"But non-professional criticism also is by no means without its use, even if accompanied, as often it is, by a direct attack upon the judicial fairness and motive of the occupants of the bench; for if the law is but the essence of common sense, the protest of many average men may evidence a defeat in a judicial conclusion, though based on nicest legal reasoning and professional learning."

There are but few men, whether they are judges for life or for a shorter term, who do not prefer to earn and hold the respect of all, and who cannot be reached and made to pause and deliberate by hostile public criticism. In the case of judges having a life tenure, indeed their very independence makes the right freely to comment an instrument in the hands of a free people to keep such judges alive to the reasonable demands of those they serve."

### MAJORITY JURIES.

**I**N some quarters it will be regarded as heresy, if not revolutionary, to intimate that the American jury system is not so solemnly sacred that any modification thereof would be sacrilege. But in numerous instances, and especially in recent costly trials, it has been proved that the requirement of unanimous decisions has defeated the ends of justice, caused immense and unnecessary costs and accomplished not only no good whatever, but has worked a positive detriment.

There have been some spasmodic efforts at jury tinkering, and in some states, under restricted conditions, nine jurors may bring in a verdict. But as compared with the workings of the system as a whole throughout the country, the reform has been inconsiderable. When a majority of one elector in the electoral college will decide the presidency of the United States, it really seems absurd that it should require a unanimous jury to determine the guilt or

innocence of a horse thief. The vote of one senator prevented the impeachment of a President of the United States, but one stubborn juror, often from exceedingly questionable motive, has caused a miscarriage of justice far oftener than he has prevented the punishment of a guilty defendant. It is entirely unfair that one man should successfully oppose the combined judgment of eleven, and as this is a country of majority rule, the agitation for a majority jury verdict, or even a three-fourths majority verdict, is timely.

In Scotland, according to a recent writer, juries are composed of fifteen members and a majority vote is the decision of the jury. There is no special reason for changing the number of jurors, and the superstitious appropriateness of having twelve men on the jury may well be continued. But the combined opinion of nine, if not eleven, of the jurors should be sufficient to decide at least the greater proportion of cases. Under our theory of law every man is innocent until he is proved guilty, and it is better that ninety-nine guilty men escape than that one innocent man be punished. It is well to throw around every man the utmost safeguards, but there is every reason to believe that the cause of justice will be subserved by the abolition of the requirement of unanimity.

### THE OREGON IDEA.

**I**T has remained for the far-off state of Oregon to make the most novel and apparently effective contribution to the literature of preventive temperance legislation. The same principle—publicity—which has been widely heralded as the surest cure for corporate misdeeds, is applied in the Oregon statute, which provides that before a man can buy liquor at any place where intoxicating beverages are sold he must take out a license, which costs him \$5 per annum. Unless he is armed with such a document all the Demosthenes would not move the bartender. Without the license to "start something" there is "nothing doing."

But this is not all. Every six months the names of those to whom license have been issued are printed in the papers, so that the bartenders and all others who are interested may know just who are drinkers in the community. Severe penalties are inflicted upon those who lift the lid contrary to any of the provisions of the law.

It must be conceded that this is hitting the high places on the road to sobriety, and yet it must also be conceded that such a plan must have a decidedly different effect. Thousands of men drink "and don't care who knows it," but more thousands conceal their indulgence, and this is specially true of young men. If everybody in the community knew who were the local drinkers, there would be fewer local drinkers. And in common fairness the community is entitled to know who are the drinkers. Drinking spells are trouble and trouble costs the people money, and the people are entitled to know who are making them hire policemen and build jails. Parents would be able to exercise parental authority more easily—at least they would be moved to do so—if they knew their sons were among the drinkers of the community, for thousands of young men indulge their appetites for liquor unknown to their parents. The young women of the community, the future wives and mothers are entitled to this public information as to the habits of the young men who may become their husbands.

Of course, the young men can "move on," but the young women could require their prospective husbands to procure an affidavit from the officials of their various preceding abiding places that their names were not among the licensed drinkers.

### A PROSPERITY "PANIC"

**T**HE consensus of opinion on the part of 30,000 bankers, manufacturers and business men from all parts of the country ought to constitute an accurate measure of commercial conditions, both present and prospective. Such a compilation has been made and issued by the Commercial National bank of Chicago, and, in the words of the official statement itself, "the overwhelming preponderance of evidence is that the business situation is sound and satisfactory." This should re-assure the timid ones who tremble every time the "Big Stick" waves and causes a flurry in Wall street; and it is one of the anomalies of the situation that even on the stock market the assaults of the president should cause such palpitation. Nothing could more forcibly illustrate the precarious and illusory basis of the speculative market, subject to instant fluctuation at the slightest pretext, sensitive to every rumor, waiting with bated breath for every crop report and official statement.

The solid, safe, sane and substantial business of this country is not to be affected every time some high official makes a speech. These 30,000 business men look forward with confidence to a continuation of prosperity, perhaps not at the feverish pace of the past year or more, which has absorbed in extensions of productive and distributive facilities billions upon billions of dollars until the mobile capital of the world has been drained. But these business men declare that there is enough left to last for some time to come, and by that time the returns from the investments of the past year or more will provide more investment capital.

The money market is "tight" and the stock markets are fluttering simply because the opportunities for more remunerative investment are so great that capital is not seeking precarious investment or low interest securities. That is why gilt edged municipal securities have gone begging when at another time they would be eagerly snapped up. All the "panic" there is is a prosperity "panic." Timely attention is called to the fact that, if the cost of living has increased, it is largely due to the increased cost of production due to increased wages and decreased hours of labor, added to the unprecedented demand which has taxed the productive capacities of the supplying sources. Satisfactory crop conditions insure the continuance of prosperity in all lines and the country has every reason to regard the future with hopefulness.